

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY,

Plaintiff,

v.

HARMAN INTERNATIONAL  
INDUSTRIES, INCORPORATED,

Defendant.

Case No: 05-10990 DPW

Hon. Douglas P. Woodlock

**AMENDED COMPLAINT**

Plaintiff Massachusetts Institute of Technology (“MIT”), by its attorneys Proskauer Rose LLP, brings this action for patent infringement against Harman International Industries, Inc. (“Harman”).

**Parties**

1. Plaintiff MIT is an educational and research institution organized under the corporate laws of the Commonwealth of Massachusetts with a principal place of administration in Cambridge, Massachusetts.

2. On information and belief, Defendant Harman is a Delaware corporation with corporate headquarters at 1101 Pennsylvania Avenue, N.W., Suite 1010, Washington, D.C. 20004, and a principal place of business at 8500 Balboa Blvd., Northridge, CA 91329.

3. On information and belief, at least two of Harman’s subsidiaries and/or divisions are located within this district.

**Jurisdiction and Venue**

4. This case arises under the patent laws of the United States, 35 U.S.C. § 1 et seq. This court has subject matter jurisdiction over this Complaint pursuant to 28 U.S.C. §1331 and 1338.

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) & (c), and 1400.

**COUNT I**  
**Harman's Infringement of U.S. Patent No. 5,177,685**

6. MIT realleges, and incorporates by reference, the allegations contained in paragraphs 1 to 5 above.

7. MIT is the owner of all right, title and interest in and to U.S. Patent No. 5,177,685, entitled "Automobile Navigation System Using Real Time Spoken Driving Instructions," which issued on January 5, 1993 (the "'685 patent").

8. On information and belief, Harman makes, uses, offers to sell, and sells within the United States, and/or imports into the United States, products that infringe the '685 patent, including but not limited to the TrafficPro, Traffic Pro II, RB3, RB4, Advanced Audio GPS Navigation System, and M.O.A.R. products ("Accused Products"). The Accused Products infringe, contribute to the infringement of, or induce the infringement of one or more of the claims of the '685 patent. On information and belief, this infringing activity has been, and continues to be done, with knowledge of the '685 patent, and is willful conduct which would result in enhanced damages under 35 U.S.C. § 284.

9. MIT has been, and is being, irreparably harmed, and has incurred, and will continue to incur, damages as a result of Harman's willful infringement of the '685 patent.

**REQUEST FOR RELIEF**

WHEREFORE, MIT prays for judgment against Harman as follows:

- (a) Declaring that Harman has infringed the '685 patent;
- (b) Awarding MIT all relief available under the patent laws of the United States, including but not limited to monetary damages;
- (c) Awarding MIT its costs and reasonable attorney's fees in respect thereto in accordance with 35 U.S.C. §§ 284-85; and
- (d) Granting MIT such other relief as the Court deems just and equitable.

**DEMAND FOR JURY TRIAL**

MIT demands a trial by jury on all issues so triable.

Respectfully Submitted,

Massachusetts Institute of Technology  
By its Attorneys,

/s/ Steven M. Bauer  
Steven M. Bauer (BBO# 542531)  
Kimberly A. Mottley (BBO# 651190)  
John W. Pint (BBO# 660548)  
PROSKAUER ROSE LLP  
One International Place  
Boston, Massachusetts 02110-2600  
Phone: 617-526-9600  
Fax: 617-526-9899

February 2, 2006

**CERTIFICATE OF SERVICE**

I certify that on February 2, 2006, I caused a copy of the forgoing document to be served upon counsel of record for Harman International Industries by electronic means using the Court's ECF system.

/s/ Steven M. Bauer

Steven M. Bauer